

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The office action dated June 30, 2004 has been received and its contents carefully reviewed.

In the Office Action, claims 2, 3, 7, 11, 13, 15, 16, 20, 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application 2002/0030780 in view of U.S. Patent 5,504,603 to Winker et al. Claims 5, 6, 8, 12, 18, 19, 21 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishida in view of Winker further in view of U.S. Patent 6,266,114 to Skarohlid et al.

Applicants thank the Examiner for allowing claims 27 and 28 and acknowledging that claims 10 and 23 contain allowable subject matter. Applicants amend claims 3 and 16 to recite the limitations present in original dependent claims 3 and 16 in original independent claims 1 and 14, respectively, which were not included in the amended claims filed on April 7, 2004 due to a typographical error. Accordingly, and as noted in the Office Action of January 7, 2004, claims 3 and 16 and their respective dependent claims are in condition for allowance.

Furthermore, Applicants note that none of Nishida, Winker and Skarohlid disclose or suggest "the liquid crystal layer initially has an alignment state parallel to the upper and lower substrates adjacent to the upper and lower substrates; perpendicular to the upper and lower substrates at a midpoint between the upper and lower substrates; and tilted to the upper and lower substrates between the upper substrate and the midpoint and between the lower substrate and the midpoint." In fact, Nishida, Winker, Skarohlid do not discuss the initial alignment state of the liquid crystal layer.

Accordingly, Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to

Application No.: 10/028,981  
Response dated September 29, 2004  
Reply to non-final Office Action dated June 30, 2004

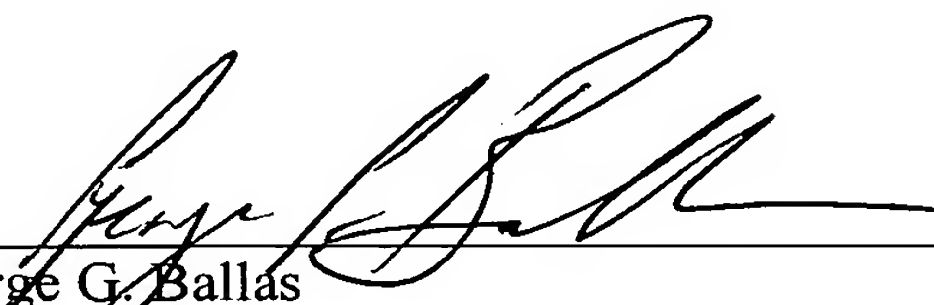
Docket No.: 8733.570.00-US

discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: September 29, 2004

Respectfully submitted,

By   
George G. Ballas  
Registration No.: 52,587  
MCKENNA LONG & ALDRIDGE LLP  
1900 K Street, N.W.  
Washington, DC 20006  
(202) 496-7500  
Attorney for Applicant